

House Bill 154

By: Representatives Rice of the 51st, Hembree of the 67th, Mills of the 25th, Forster of the 3rd,
and Coleman of the 97th

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the University System of Georgia, so as to enact the "Intellectual
3 Diversity in Higher Education Act"; to provide a short title; to provide legislative findings and
4 intent; to require all institutions under the control of the Board of Regents of the University
5 System of Georgia to submit annual reports to the General Assembly on their efforts toward
6 intellectual diversity; to provide for the content of such reports; to provide for the posting of
7 such reports on the institutions' website; to provide for related matters; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Intellectual Diversity in Higher Education
12 Act."

13 **SECTION 2.**

14 Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating
15 to the University System of Georgia, is amended by inserting a new Code Section 20-3-88 to
16 read as follows:

17 "20-3-88.

18 (a) The General Assembly finds that:

19 (1) Intellectual diversity is the foundation of a learning environment that exposes students
20 to a variety of political, ideological, and other perspectives;

21 (2) Colleges and universities should welcome intellectual diversity and the free exchange
22 of ideas as values indispensable to a liberal education, teaching, and program development;

23 (3) Teachers should not take unfair advantage of the immaturity of students by
24 indoctrinating them with their own opinions before the students have had an opportunity to
25 examine other opinions;

(4) Academic decisions, including grades, should be based solely on considerations that are intellectually relevant to the subject matter under consideration;

(5) Members of the campus community who believe that they have been treated unfairly on academic matters must have access to a clear institutional process by which grievances can be addressed;

(6) Political and ideological bias in hiring, promotion, and tenure is unacceptable;

(7) Intellectual diversity must be achieved in ways that protect such values as academic freedom, shared governance, and academic standards;

(8) Faculty, administrators, and the board of regents should take the initiative in meeting the challenge of intellectual diversity;

(9) There is a high degree of consensus on the principles set forth in 'Academic Rights and Responsibilities,' a statement issued by the American Council on Education on behalf of 30 higher education organizations;

(10) Surveys revealing ideological imbalance in the classroom, evidence of politicization, and public concern over this issue continue to mount; and

(11) It is the responsibility of governing boards to ensure that institutional policies and procedures promote an open atmosphere in which a range of viewpoints can be freely expressed for all students and faculty.

(b) As used in this Code section, the term 'intellectual diversity' means the foundation of a learning environment that exposes students to a variety of political, ideological, and other perspectives.

(c) Beginning in 2007, the board of regents shall require each institution under its control to report annually to the General Assembly, detailing the steps that the institution is taking to ensure intellectual diversity and the free exchange of ideas. Such report shall address the specific measures taken by the institution to ensure and promote intellectual diversity and academic freedom. The report may, but is not required to, include the steps taken by the institution to:

(1) Conduct a study to assess the current state of intellectual diversity on its campus;

(2) Incorporate intellectual diversity into institutional statements, grievance procedures, and activities on diversity;

(3) Encourage a balanced variety of campus-wide panels and speakers and annually publish the names of panelists and speakers;

(4) Establish clear campus policies that ensure that hecklers or threats of violence do not prevent speakers from speaking;

(5) Include intellectual diversity concerns in the institution's guidelines on teaching and program development;

(6) Include intellectual diversity issues in student course evaluations;

(7) Develop hiring, tenure, and promotion policies that protect individuals against political viewpoint discrimination and track any reported grievances in that regard;

(8) Establish clear campus policies to ensure freedom of the press for students and report any incidents of student newspaper thefts or destruction;

(9) Establish clear campus policies to prohibit political bias in the distribution of student fee funds;

(10) Eliminate any speech codes that restrict freedom of speech; and

(11) Create an institutional ombudsman on intellectual diversity.

(d) The reports shall be distributed to the members of the General Assembly no later than December 31 of each year.

(e) Each reporting institution shall also post a copy of its report on its website."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.